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1645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. Serial No.: 08/870,762

Inventors: Bradford J. DUFT, et al

Filed: June 6, 1997

Title: METHODS FOR TREATING OBESITY

Confirmation No.: 7328

TC/A.U.: 1645

Examiner: S. DEVI, Ph.D.

Atty. Docket No.: 226/104 US

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, Applicant submits copies of the references listed on the attached PTO Form PTO/SB/08A for consideration by the U.S. Patent and Trademark Office in the above-entitled application and to be made of record herein. In accordance with 37 C.F.R. 1.98, copies of cited U.S. Patents and U.S. Patent Application Publications are not included herewith. Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08A, indicating that the information has been considered and made of record herein.

The references submitted were cited in related application U.S. Application Serial No. 09/445,517. The references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in combination, to a person of ordinary skill

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8a**

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being facsimile transmitted to the USPTO at facsimile number (571) 273-8300, or deposited with the United States Postal Service on the date shown below with sufficient First Class postage in an envelope addressed to the Commissioner for Patents, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date of Deposit

8/30/06

Signature of Person Mailing Paper  
Deborah Wykes  
Name of Person Mailing Paper

09/07/2006 LWONDIM1 00000003 010535 08870762

01 FC:1806 100.00 M


in the art.

The Commissioner is hereby authorized to charge Deposit Account No. 01-0535 the amount of \$180.00 as set forth in 37 C.F.R. 1.17(p). Applicant believes no additional fees are due. If Applicant is in error, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 01-0535. Additionally, the Commissioner is hereby authorized to charge payment or credit overpayment of any fees during the pendency of this application to Applicant's Deposit Account No. 010535.

Respectfully Submitted

AMYLIN PHARMACEUTICALS, INC.

Dated: 30 August 2006

  
\_\_\_\_\_  
Karen R. Zachow, Ph.D.  
Registration No. 46,332

**AMYLIN PHARMACEUTICALS, INC.**

9360 Towne Centre Drive  
San Diego, CA 92121  
Telephone: (858) 552-2200  
Facsimile: (858) 552-1936



1680

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following documents are enclosed herewith for your review and consideration:

- Supplemental Information Disclosure Statement 2 pages
- PTO/SB08 Form 2 pages
- 8 References
- Fee Transmittal (in duplicate) 2 pages
- Return Receipt Postcard

Respectfully submitted,  
AMYLIN PHARMACEUTICALS, INC.

Dated: August 30, 2006

By: Karen R. Zachow  
Karen R. Zachow, Ph.D.  
Registration No. 46,332

AMYLIN PHARMACEUTICALS, INC.  
9360 Town Centre Drive  
San Diego, CA 92121  
Telephone: 858.552.2200  
Facsimile: 858.552.1936

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage in an envelope addressed to the Commissioner for Patents, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, DC 20231

8/30/06  
Date of Deposit

Deborah Wykes  
Name of Person Mailing Paper  
Will Up  
Signature of Person Mailing Paper

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Substitute for Form 1449/PS

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

Sheet	1	of	2
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**Complete if Known**

Application Number	08/870,762
Filing Date	June 6, 1997
First Named Inventor	Bradford J. DUFT, et al
Art Unit	1645
Examiner Name	S. DEVI, Ph.D.
Attorney Docket Number	226/104 US

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

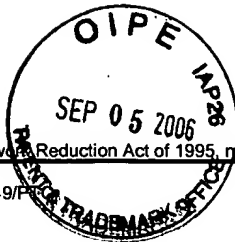
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> ~Number <sup>4</sup> ~Kind Code <sup>5</sup> (if known)				
	1	WO 92/15317	09-1992	Albrecht		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	08/870,762
Filing Date	June 6, 1997
First Named Inventor	Bradford J. DUFT, et al
Art Unit	1645
Examiner Name	S. DEVI, Ph.D.
Attorney Docket Number	226/104 US

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	2	BOWIE, et al, "Deciphering the MESSage in Protein Sequences: Tolerance to Amino Acid Substitutions", Science, 247:1306-1310, 1990	
	3	BURGESS, et al, "Possible Dissociation of the Heparin-binding and Mitogenic Activities of Heparin-binding..." J. Cell. Biol., 111:2129-2138, 1990	
	4	COOPER, et al, "Amylin and the Amylin Gene: Structure, Function and Relationship to Islet Amyloid and to Diabetes Mellitus", Biochim. Biophys. Acta, 1014: 247-258, 1989	
	5	LAZAR, et al, "Transforming Growth Factor Alpha: Mutation of Aspartic Acid 47 and Leucine 48 Results in Different Biological Activities", Mol. Cellular Biol, 8:1247-1252, 1988	
	6	Scherbaum, W.A., "The Role of Amylin in the Physiology of Glycemic Control", Exp. Clin. Endocrinol. Diabetes, 106:97-102, 1998	
	7	A.A. YOUNG, et al, "Dose Responses for the Slowing of Gastric Emptying in a Rodent Model...", Metabolism, 45: 1-3, January 1996	
	8	YOUNG, et al, "Roles of Amylin in Diabetes and in Regulation of Nutrient Load", Nutrition 14: 524-527, June 1998	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180.00**Complete if Known**

Application Number	08/870,762
Filing Date	June 6, 1997
First Named Inventor	Bradford J. DUFT, et al
Examiner Name	S. DEVI, Ph.D.
Art Unit	1645
Attorney Docket No.	222/104 US

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 010535 Deposit Account Name: Amylin Pharmaceuticals

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Supplemental Information Disclosure Statement Fee 180.00**SUBMITTED BY**

Signature	<u>Karen R. Zachow</u>	Registration No. (Attorney/Agent) 46,332	Telephone 858-552-2200
Name (Print/Type)	Karen R. Zachow, Ph.D.		Date August 30, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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